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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,460	03/31/2004	Pasha Sadri	50269-0571	8403

29989 7590 02/26/2007  
HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

EXAMINER
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VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
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2165

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/816,460

Applicant(s)

SADRI ET AL.

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 27-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, and 27-40 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/18/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to the Applicant's amendment filed on 01/04/2007.
2. Claims 1-4, 6-12, 27 have been amended, claims 14-26 canceled, and claims 28-40 have been added.
3. Claims 1-13, 27-40 are pending and presented for examination.

### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on December 18, 2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, it has been placed in the application file. The information referred to therein has been considered as to the merits.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-27, filed on January 04, 2007 have been fully considered but are moot in view of the new ground(s) of rejection. Therefore, this action is a Non-Final action.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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7. Claims 1-9, 11-13, and 27-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Littlefield et al. (U. S. Pat. No. 6,564,208).

As per claims 1, 27, and 28, Littlefield et al. disclose a delivery technique system for delivering search results (See Littlefield et al. Figs. 1A, 1B) for searches conducted over a network (See Littlefield et al. Fig.2, col.6, lines 44 – 61). In particular, Littlefield et al. disclose the claimed limitations of: establishing an association between one or more links to resources, by providing the search results as detailed in (See Littlefield et al. Figs. 1A, 1B in conjunction with default items 110 and 120) one or more conditions, and one or more items as detailed (See Littlefield et al. “non-default items 140a, 140b, 150a, 150b” in Figs 1A and 1B, and col.4, line 21 through col.5, line 10); in response to a search for resources initiated at a client on said network (See Littlefield et al. col.3, lines 12-15 wherein search result have been delivering to the users of a search engine), performing the steps of: identifying a set of links to resources satisfying said search by identifying matching documents (See Littlefield et al. col.5, lines 10 - 17); inspecting said association to determine whether any links in said set of links are associated with an item of the one or more items and whether any links in said set of links satisfy a condition of the one or more conditions by performing lookups in the web index using index values (See Littlefield et al. col.5, lines 18 - 23); and delivering search results over said network, wherein said search results include any items in said associated with particular links in said set of links, wherein said particular links are associated with a resource satisfying said search and said particular links satisfy a condition of the one or more conditions (See Littlefield et al. col.5, lines 24-27 wherein the non-default item are included in the search results that is being delivered to the search engine user).

As per claims 2 and 29, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein said resource satisfying said search is controlled by one or more first parties and said any items associated with said particular links are associated with a second party which is different from said one or more first parties (See Fig.2 in conjunction with element 226, and col.5, lines 60 – 67).

As per claims 3 and 30, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein at least one of said one or more items is a link to a resource not in said set of links to resources (See col.4, lines 34-41 providing that the non-default items link to other resources than the default items 120).

As per claims 4 and 31, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein all of said one or more items are links to resources not in said set of links to resources (See Figs. 1A and 1B wherein non-default items 140a, 140b, 150a and 150b are mutually exclusive from default items 110 and 120).

As per claims 5 and 32, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28

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above. In addition Littlefield et al. disclose the claimed limitations, wherein said one or more links to resources is a uniform resource locator (URL) (See col.1, lines 56-62).

As per claims 6 and 33, Littlefield et al. disclose the claimed limitations wherein said uniform resource locator(URL) is a hypertext link (See col.2, lines 43 – 46).

As per claims 7 and 34, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations wherein: the search is for web documents residing on any one of the World Wide Web, an intranet, and an extranet network; and the step of identifying a set of links to resources satisfying said search is performed by identifying a set of links to web documents satisfying said search (See col.1, lines 12 – 42).

As per claims 8 and 35, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein establishing an association between one or more links to resources and one or more items includes associating a link to a resource with an item not derived from nor contained in a resource corresponding to said link (See col.3, lines 57 – 67).

As per claims 9 and 36, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28

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above. In addition Littlefield et al. disclose the claimed limitations, wherein delivering search results includes delivering said search results for display such that any item displayed based on the item's association with a link to a resource is displayed unassociated with said link to which the item is associated (See Figs.1A and 1B wherein the search results have been displayed, and col.5, lines 29 - 47).

As per claims 10 and 37, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein the step of delivering search results includes delivering said search results for display such that any item displayed based on the item's association with a link to a resource is displayed in a frame of display different than a frame of display in which said link to which the item is associated is displayed (See Figs.1A and 1B wherein the search results have been displayed, and col.5, lines 29 - 47).

As per claims 11 and 38, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein: the delivering search results over said network to said client is part of a service performed by a first party (Fig.2 in conjunction with element 226 the ISP); said one or more items are associated with one or more second parties (See Figs 1A and 1B wherein the non-default items 140a, 140b 150a, and 150b associated with advertising parties); and the method further includes the step of said one or

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more second parties paying said first party to associate said one or more items with links to resources corresponding to resources controlled by one or more third parties (See col.4, lines 1 – 14).

As per claims 12 and 39, Littlefield et al. disclose the claimed limitations wherein at least one item of said one or more items is an advertisement associated with a second party of said one or more second parties (See col.6, lines 1 – 20).

As claims 13 and 40, most of the limitations of these claims have been noted in the rejection of claims 1 and 28. Applicant's attention is directed to the rejection of claims 1 and 28 above. In addition Littlefield et al. disclose the claimed limitations, wherein at least one item of said one or more items is dynamically generated content (See col.5, lines 40 – 48 wherein Littlefield et al show that a banner may cause retrieval of a web page associated with a listing).

***Prior Art Made of Record***

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.



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***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086.

The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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*J.V.*  
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Jacques Veillard  
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February 22, 2007